

# EXHIBIT 4

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

IN RE: COLGATE-PALMOLIVE	)	MDL Docket No. 12-md-2320-PB
SOFTSOAP ANTIBACTERIAL HAND	)	
SOAP MARKETING AND SALES	)	ALL ACTIONS
PRACTICES LITIGATION (MDL No. 2320)	)	
_____	)	

**AFFIDAVIT OF CHRISTOPHER M. ELLIS IN SUPPORT OF PLAINTIFFS' MOTION  
FOR AWARD OF ATTORNEYS' FEES, EXPENSES, AND REPRESENTATIVE  
PLAINTIFFS' INCENTIVE PAYMENTS**

I, Christopher M. Ellis, am over the age of eighteen (18) and otherwise competent to testify to all facts and/or opinions contained in this Affidavit.

1. I am a partner at Bolen Robinson & Ellis (BRE). I make this Affidavit of my own personal knowledge, and if called to do so, I could testify competently to the matters stated herein.

2. I am an attorney admitted to practice in Illinois. I am also admitted to practice before the following federal courts: Seventh Circuit Court of Appeals, Northern District of Illinois, Central District of Illinois, Southern District of Illinois and Eastern District of Missouri. In addition, I have been admitted pro hac vice in various state and federal courts throughout the country. I lead my firm's aggregate litigation department and have been appointed as co-lead, steering committee and executive committee in a variety of consumer, product, and financial litigations from coast to coast. My credentials include successful prosecution of class actions in state and federal court resulting in recoveries of hundreds of millions of dollars. A copy of my curriculum vitae is attached hereto as *Exhibit A*.

3. This Affidavit is provided in support of Plaintiffs' Motion for Award of Attorneys' Fees, Expenses, and Representative Plaintiff's Incentive Payments. I have personal knowledge of the time keeping, expense tracking and systems of my law firm.

4. From the inception of this litigation through July 31, 2015, BRE expended 112.30 hours of work in connection with this litigation. Based upon our customary rates in this type of litigation, the lodestar value of that time is \$51,245.00

5. My firm's work on this case was performed on a wholly contingent basis pursuant to contingency fee contracts with the named Plaintiffs. BRE has not received any amounts in connection with this case either as fee income or expense reimbursement. Additionally, all expense amounts were incurred and paid by my firm out of operating funds.

6. Shown below is a true and correct summary identifying the attorneys who have worked on this litigation, the number of hours those individuals worked, their regular hourly billing rates and their respective lodestar values.

7. The hourly rates shown below are the usual and customary rates charged in my geographic area and the national venues in which the firm typically handles cases for each individual doing the type of work performed on this litigation. These rates are not adjusted, notwithstanding the complexity of this litigation, the skill and tenacity of the opposition, the preclusion of other employment, the delay in payment or any other factors that could be used to justify a higher hourly compensation. Additionally, BRE has been retained on hourly matters at these rates and I have personally been paid retainers based on these rates.

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Christopher M. Ellis	Partner	18.75	\$650.00	\$12,187.50
Shane M. Mendenhall	Partner	84.20	\$425.00	\$35,785.00
Matthew C. Spain	Associate	9.35	\$350.00	\$3,272.50
<b><i>TOTALS:</i></b>		<b><i>112.30</i></b>		<b><i>\$51,245.00</i></b>

8. These amounts were derived from contemporaneous daily time records BRE compiled on this matter, which are recorded in our computerized database. The firm requires regular and contemporaneous recording of time records, which occurred in this case.

9. The lodestar summary reflects BRE's experience in the field, the complexity of the matters involved in this litigation, and the prevailing rate for providing such services.

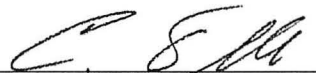
10. BRE has advanced a total of \$1,340.35 in expenses reasonably and necessarily incurred in connection with the prosecution of this litigation. They are broken down as follows:

<i><b>EXPENSE CATEGORY</b></i>	<i><b>AMOUNT</b></i>
Court/Filing Fees	
Travel, Meals, Hotels & Transportation	\$1,265.15
Postage/Overnight Delivery	
Internal reproduction	
Experts/consultants	
Computer research	\$75.20
Litigation Fund Contributions	
<i><b>TOTAL:</b></i>	<i><b>\$1,340.35</b></i>

11. These expenses are reflected in the books and records regularly kept and maintained by my firm.

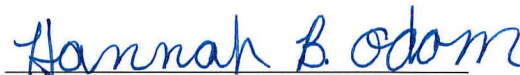
12. In my opinion, the time expended and expenses incurred in prosecuting this action were reasonable and necessary for the diligent litigation of the matter.

13. The proposed payment of attorneys' fees, litigation expenses and costs, and service payments will be paid separately from the relief afforded to members of the class and will not, in any way, diminish the relief afforded to members of the class. Moreover, other than the named Plaintiffs, the relief afforded does not preclude any member of the Settlement Class from initiating a claim for damages.



Christopher M. Ellis  
Bolen Robinson & Ellis

Subscribed and sworn to before me this 30<sup>th</sup> day of July, 2015.



(Notary Public)



**BOLEN ROBINSON & ELLIS, LLP**  
**CHRISTOPHER M. ELLIS**

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**BIOGRAPHY**

Chris is the managerial partner and, along with Jon D. Robinson, a founding member of Bolen Robinson & Ellis, LLP. He graduated from Illinois Wesleyan University and Georgetown University School of Law with honors. Prior to starting BRE Law, Chris was an associate in the Washington, D.C. and Chicago offices of Ross Dixon & Bell, LLP (now Troutman Sanders). He is a member of various professional organizations and admitted to practice before multiple courts throughout the country.

Involved in nearly every practice area at BRE, Chris has become the central contact and go-to-person for a majority of the firm's clients. Clients routinely come to Chris with complex issues, whether related to litigation, business or family planning; in turn, Chris assembles the appropriate team at BRE to meet and exceed the client's expectations. Working closely with both the client and BRE team, Chris remains intimately familiar with the issues and typically takes the lead in negotiating a solution, litigating the matter in court or drafting the final documents needed to accomplish the client's goals.

One of Chris's primary roles is to direct and control the Firm's high stakes litigation. Chris has tried numerous cases on behalf of both plaintiffs and defendants and argued multiple times before the appellate courts. Representing both individuals severely injured or wronged by the misdeeds and frauds of another, as well as corporations defending themselves against claims of liability or seeking to enforce contractual rights, gives Chris a unique perspective in his approach



to litigation, allowing him to see all cases from both sides. Recently Chris has become actively involved in the prosecution of multiple class actions throughout the United States where he has served as lead counsel, liaison counsel and on various executive and steering committees.

Chris also serves as lead counsel for multiple local corporations. On a daily basis he advises business owners and professionals on matters varying from contract interpretation to employment issues. Chris's experience in the labor law arena runs the gamut from negotiating collective bargaining agreements to defending and pursuing unfair labor practice charges in front of the NLRB. ERISA is another area that Chris and his team at BRE have been extensively involved with, both on behalf of corporate clients and as counsel for union pension funds. In addition, Chris assists many of these clients and other of our community's most influential leaders with their personal and business estate succession plans.

Recognizing that being actively involved in one's community is not only a privilege but a duty, Chris has given countless hours of his time assisting those in need of support. Chris currently serves on the local United Way Board, where in the past he has held the roles of Chairman, Vice-Chairman and Campaign Chair. He is also actively involved with the St. Mary's Hospital Foundation Board, where he has served as Chairman, Vice-Chairman and on the Capital Campaign Committee. In the past Chris has served on various other civic boards and held varying titles and roles. All of his efforts have been geared towards making Decatur and the surrounding communities a better place for everyone, particularly those less fortunate.

Chris has been married 11 years to his beautiful wife and high school sweetheart, Kelli. Together they have three wonderful children – Nicholas, Ashlyn and Abigail. In his spare time Chris enjoys coaching every team that his kids play on, from baseball and football to softball and soccer.

### **Education**

B.A. 1998 – Illinois Wesleyan University  
J.D. 2001 – Georgetown University Law Center

### **State Court Bar Admissions**

Illinois – 2001  
District of Columbia – 2001 (Inactive)

### **Federal Court Admissions**

Seventh Circuit Court of Appeals - 2010  
Northern District of Illinois – 2002  
Central District of Illinois – 2003  
Southern District of Illinois – 2008  
Eastern District of Missouri – 2012

## Litigation Experience

Chris and the attorneys at BRE LAW have successfully litigated a number of complex cases in Federal and States courts throughout the United States and are currently involved in multiple complex class actions throughout the country. Recently, Chris has actively participated in the following class actions:

### Co-Lead Counsel:

- *Kowa v. The Auto Club Group*, No. 1:11-cv-07476 (N.D. IL) (national settlement approved with a value to the class of \$17,500,000)
- *Melillo, et al. v. Building Prods. Of Canada Corp., et al.* No. 1:12-cv-00016 (VT) (national settlement approved with a settlement value of \$36,000,000 - \$100,000,000)
- *Banderman v. First Financial Corp., et al.*, No. 84D03-1112-PL-11766 (IN state court)
- *Myers v. Lumber Liquidators, Inc., et al.*, No. 3:15-cv-00112 (E.D.TN)

### Liaison Counsel:

- *Vought, et al v. Bank of America, N.A., et al*, No. 2:10-cv-02052 (C.D. IL) (national settlement approved with a value to the class of \$44,000,000)
- *In re: IKO Roofing Shingles Prods. Liab. Litig*, No. 2:09-md-02104 (C.D. IL)

### Executive Committee:

- *In re Syngenta AG MIR162 Corn Litigation*, No. 14-md-2591 (D.Kan)
- *In re: JP Morgan Chase Mortg. Mod. Litig.*, No. 11-md-02290 (D.Mass) (settled with a value to the class in excess of \$500,000,000)
- *In re: Colgate-Palmolive Marketing Practices Litig.*, MDL No. 2320 (JPML)
- *In re: Dial Complete Marketing and Sales Practices Litig.*, No. 11-md-2263 (NH)
- *In re: Groupon Market and Sales Practice Litig.*, No. 11-md-2238 (S.D. CA) (settled)
- *In re: Living Social Marketing and Sales Practices Litig.*, 1:11-mc-04721 (D. Columbia) (settled)

### Class Counsel:

- *Pollard v. Remington Arms Co., LLC et al*, No. 4:13-cv-00086 (W.D. MO) (settlement pending)
- *Moodie v. Remington Arms Co., LLC et al*, No. 2:13-cv-00172 (W.D. WA) (stayed pending settlement)

### Currently Pending:

- *Five Star Farms, et al. v. Syngenta AG, et al.*, 2:14-cv-02571 JWL (Dist. KA)
- *Wilson Farm Inc., et al. v. Syngenta AG, et al.*, 4:14-cv-01908 RWS (E.D. MO)
- *Macon County Illinois, et al. v. Trinity Industries.*, 3:14-cv-01320 (S.D. IL)
- *DCN Lewis v. Pella Corp.*, 2:14-cv-00549 (Dist. SC)